

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Thursday, November 5, 2009 at 12:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

Appeals

- V-09-153** Appeal of **Rick D. Day** decision of an administrative officer of the Bureau of Buildings of a decision of an administrative officer of the Bureau of Buildings for the issuance of a building permit. The property is located at **728 Spring Street, N.W.**, fronting 40 feet on the west side of Spring Street and beginning approximately 142.5 feet south of the southwest intersection of Spring Street and 4th Street. Zoned SPI-16/ SA1 (Midtown Commercial) District. Land Lot 80 of the 14th District, Fulton County, Georgia.
Owner: Selig Enterprises, Inc.
Council District 2, NPU-E

New Cases

- V-09-138** Application of **Ron Cocker, Jr.** for a special exception from zoning regulations to allow active recreation (swimming pool) in a yard adjacent to a street and erect a 5 ft. high privacy fence in the required half depth front yard setback. The applicant also seeks a variance to reduce the half depth front yard setback from 17.5 feet (required) to 15 feet to allow for the installation of a swimming pool. Property is located at **1693 Johnson Road, N.E.**, fronting 80 feet on the south side of Johnson Road and beginning at the southeast intersection of Johnson road and Meadowdale Avenue. Zoned R-4 (Residential) District. Land Lot 56 of the 18th District, Fulton County, Georgia.
Owner: Wade McCoy
Council District 6, NPU-F
- V-09-150** Application of **Steven T. Tedder** for a special exception from zoning regulations to erect a 12 foot high retaining wall in the required side yard setback, where otherwise only a 6 foot high wall is allowed. Property is located at **1090 Lanier Boulevard, N.E.**, fronting 60 feet on the northeast side of Lanier Boulevard and beginning approximately 145.4 feet north of the northeast intersection of Lanier Boulevard and Kentucky Avenue. Zoned R-4 (Residential) District. Land Lot 1 of the 17th District, Fulton County, Georgia.
Owner: Melissa J. Frawley
Council District 6, NPU-E
- V-09-152** Application of **Shelley & Jason Bell** for a variance from zoning regulations to reduce the required front yard setback from 35 feet to 32 feet to allow for an addition to an existing single-family house. Property is located at **109 Karland Drive, N.W.**, fronting 90 feet on the north side of Karland Drive and beginning approximately 105.1 feet east of the northeast intersection of Karland Drive and Habersham Road. Zoned R-4 (Residential) District. Land Lot 98 of the 17th District, Fulton County, Georgia.
Owner: Shelley & Jason Bell
Council District 8, NPU-B

- V-09-154** Application of **Eric Smith** for a variance from zoning regulations to reduce the required west side yard setback from 7 feet to 3 feet 1 inch for a deck addition to a legal non-conforming detached triplex. Property is located at **690 Amsterdam Avenue, N.E.**, fronting 70 feet on the northeast side of Amsterdam Avenue and beginning approximately 1,160 feet west of the northwest intersection of Amsterdam Avenue and San Antonio Drive. Zoned R-4 (Residential) District. Land Lot 52 of the 17th District, Fulton County, Georgia.
Owner: Eric Smith
Council District 6, NPU-F
- V-09-155** Application of **Glenn & Noelle O’Leary** for a variance from zoning regulations to reduce the required side yard setback from 7 feet to 3 feet to allow for the construction of a detached garage. Property is located at **2591 Birchwood Drive, N.E.**, fronting 71 feet on the east side of Birchwood Drive and beginning approximately 75 feet south of the intersection of Birchwood Drive and Elwood Drive. Zoned R-4 (Residential) District. Land Lot 59 of the 17th District, Fulton County, Georgia.
Owner: Glenn & Noelle O’Leary
Council District 7, NPU-B
- V-09-156** Application of **Roy Irwin** for a variance from zoning regulations to reduce the required front yard setback from 60 feet to 43.8 feet to allow for the construction or rebuild of a single-family residence. Property is located at **3821 Castlegate Drive, N.W.**, fronting 103.8 feet on the north side of Castlegate Drive and beginning approximately 780.9 feet north of the north intersection of Castlegate Drive and Haddon Hall Road. Zoned R-2 (Residential) District. Land Lot 159 of the 17th District, Fulton County, Georgia.
Owner: Barney Whitaker
Council District 8, NPU-A
- V-09-157** Application of **Jamie Smith** for a variance from zoning regulations to reduce the front yard setback from 35 feet to 32.6 feet and to reduce the half-depth front yard setback from 17.5 ft. to 12 ft to allow for an addition to a single-family house. Property is located at **445 Lytle Avenue, S.E.**, fronting 50 feet on the west side of Lytle Avenue and beginning at the southwest intersection of Lytle Avenue and Sanders Avenue. Zoned R-4 (Residential) District. Land Lot 12 of the 14th District, Fulton County, Georgia.
Owner: Jamie Smith
Council District 5, NPU-W
- V-09-158** Application of **Sharon Tsepas** for a special exception to reduce the off-street parking requirement from 12 parking spaces (1/300 sq. ft.) to 0 spaces, and allow for a shared parking off-site at 963 Ponce De Leon Avenue, to convert an existing multifamily building into an office building. Property is located at **685 Linwood Avenue, N.E.**, fronting 50 feet on the east side of Linwood Avenue and beginning approximately 170 feet south of the southeast intersection of Linwood Avenue and Ponce De Leon Avenue. Zoned C-1 (Community Business) District. Land Lot 16 of the 14th District, Fulton County, Georgia.
Owner: SBF Linwood, LLC
Council District 2, NPU-N

Deferred Cases

- V-09-08** Application of **The Streets of Buckhead Development Co @ Block A, LLC.** for a variance from zoning regulations for the erection of business identification wall signs for a master signage plan for Parcel A: Phar Road sign elevation 59 ft; Buckhead Avenue sign elevation 40 ft; Eastside sign elevation 35 ft. Peachtree Road sign elevation 49 ft; Courtyard sign elevation 38 ft. Property is located at **3035 Peachtree Road, N.E.,** fronting 335.9 feet on the east side of Peachtree Road and beginning at the northeast intersection of Peachtree Road and Pharr Road. Zoned C-3/ SPI-9 (Commercial) District. Land Lot 99 of the 17th District, Fulton County, Georgia
Owners: The Streets of Buckhead Development Co @ Block A, LLC.
Council District 7, NPU-B
- V-09-09** Application of **The Streets of Buckhead Development Co @ Block B, LLC.** for a variance from zoning regulations for the erection of business identification wall signs for a master signage plan for Parcel B: Bolling Way sign elevation 34 ft; Northside breezeway connection for Peachtree Road and Bolling Way sign elevation 37 ft; Peachtree Road sign elevation 41 ft; South side breezeway connection for Peachtree Road and Bolling Way sign elevation 38 ft; Internal section near Peachtree Road sign elevation 39 ft. ft. Property is located at **3065 Peachtree Road, N.E.,** fronting 410.6 feet on the east side of Peachtree Road and beginning at the northeast intersection of Peachtree Road and Buckhead Avenue. Zoned C-3/ SPI-9 (Commercial) District. Land Lot 99 of the 17th District, Fulton County, Georgia
Owners: The Streets of Buckhead Development Co @ Block B, LLC.
Council District 7, NPU-B
- V-09-10** Application of **The Streets of Buckhead Development Co @ Block C, LLC.** for a variance from zoning regulations for the erection of business identification wall signs for a master signage plan for Parcel C: Buckhead Avenue sign elevation 43 ft; Bolling Way sign elevation 42 ft; along former alleyway interior elevation 47 ft- this signage square footage is contingent upon 10% of Bolling Way tenant/establishment front wall elevation. Property is located at **262 Buckhead Avenue, N.E.,** fronting 575.7 feet on the north side of Buckhead Avenue and beginning at the northwest intersection of Buckhead Avenue and North Fulton Drive. Zoned C-3/ SPI-9 (Commercial) District. Land Lot 99 of the 17th District, Fulton County, Georgia
Owners: The Streets of Buckhead Development Co @ Block C, LLC.
Council District 7, NPU-B
- V-09-97** Application of **Robert Bradshaw** for a special exception from zoning regulations to: (1) reduce the required on site parking from 538 spaces to 445 spaces; (2) reduce the required on site resevoir parking spaces for drive thru service lanes from 6 spaces to 3 spaces and; (3) allow for a transitional use (drive-thru) within 100 feet of a residential district where otherwise prohibited. Property is located at **2900 Peachtree Road, N.W.,** fronting 1,198 feet on the west side of Peachtree Road and beginning 536.15 feet south of the southwest intersection of Peachtree Road and Pharr Road. Zoned C-3 (Residential) District. Land Lot 100 of the 17th District, Fulton County, Georgia.
Owner: Central Asset Management
Council District 8, NPU-B

V-09-131 Application of **Gaurav Batra** for a special exception from zoning regulations to reduce the on site parking requirement from 210 spaces to 21 spaces on site and provide 25 parking spaces off site within 500 feet to allow for the conversion of 7,000 square feet of a 10,146 square feet warehouse and office into an event facility. Property is located at **400 Trabert Avenue, N.W.**, fronting 115 feet on the south side of Trabert Avenue and beginning approximately 295 feet west of the southwest intersection of Trabert Avenue and Mecaslin Street. Zoned I-1 (to be used for commercial purposes) District/BeltLine Overlay. Land Lot 148 of the 17th District, Fulton County, Georgia.

Owner: Rick Anwyl
Council District 8, NPU-E

V-09-135 Application of **Monica Woods and Michael Fortunato** for a special exception from zoning regulations to reduce the required on site parking from 33 spaces to 13 spaces and to allow the remaining 20 spaces to be within 500 ft of the primary use to allow for the expansion of an existing restaurant and retail space. Property is located at **3751 Roswell Road, N.E. (aks 3749 Roswell Road, N.E.)** fronting 67 feet on the east side of Roswell Road and beginning approximately 1,159.2 feet south of the southeast intersection of Roswell Road and Sheldon Drive. Zoned C-1 (Commercial) District. Land Lot 97 of the 17th District, Fulton County, Georgia.

Owner: Shirley Rich
Council District 7, NPU-B

V-09-142 Application of **Patrick Leonard** for a variance from zoning regulations to reduce the east side yard setback from 7 feet (required) to 3.6 feet for a second story addition to an existing single family residence. Property is located at **1175 Briarcliff Place, N.E.**, fronting 50 feet on the south side of Briarcliff Place and beginning approximately 346.1 feet east of the southwest intersection of Briarcliff Place and Briarcliff Road. Zoned R-4 (Residential). Land Lot 149 of the 15th District, DeKalb County, Georgia.

Owner: Patrick Leonard
Council District 6, NPU-F